

REMARKS

Claim 1 has been amended to incorporate the subject matter of Claim 2. Claims 7 and 9 have been amended to more clearly claim the subject matter which Applicants regard as the invention. Support for amended Claims 7 and 9 can be found at pages 12-13 and 16-17. Claims 4, 5, 13, 14, 17 and 18 have been amended to correct informalities. Thus, no new matter has been added. Claims 2, 8, 11, 15 and 16 have been cancelled. Upon entry of this amendment, which is respectfully requested, Claims 1, 3-7, 9-10, 12-14 and 17-18 are pending in the application.

Applicants' Priority Claim is Proper

Applicants' foreign priority document was filed on October 29, 2002. Applicants' National Stage application was filed on April 26, 2005, within the 30 months required. Applicants submit herewith a copy of the Official Filing Receipt, and respectfully request that their foreign priority claim be entered. The Examiner's remarks concerning Applicants' priority claim are in error. Applicants kindly request that the Examiner enter their priority claim and withdraw his remarks.

Response to Double Patenting Rejections

Claims 1-6 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 7,041,726.

Claims 1-6 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-8 of copending Application No. 10/532,995.

Applicants respectfully traverse the two double patenting rejections.

The '726 patent relates to an insulating member for use in the inner structure of automobiles which has improved abrasion resistance, good impact resistance and dimensional stability in severe conditions. *See*, col. 1, lines 7-11 and col. 2, lines 46-53.

Co-pending application '995 relates to a resin composition for use in electric wire sheaths. *See*, Abstract.

The present application relates to a resin composition for use in industrial products "as is," or as a master batch serving as a reinforcement or a modifier to be added to another resin or rubber. *See*, page 25, last paragraph. Thus, the present application differs from the cited references in how it is used. Accordingly, withdrawal of the double patenting rejections is requested.

Response to Claim Objections

Claim 2 is objected to because of the following informality: per the Examiner, it is not clear what is meant by the phrase, "polyamide fibers are comprised of silica particles."

Claim 2 has been canceled, thus this objection is moot. In addition, Applicants respectfully submit that the phrase, "polyamide fibers are comprised of silica particles," which is incorporated into present Claim 1, is defined at page 5, second and third paragraphs and Figure 1 of the present specification. Specifically, the present specification discloses that silica is bonded to the polyamide fibers and the polyolefin via kneading with the base resin. *See*, page 5, second and third paragraphs and Figure 1. Accordingly, withdrawal of the objection is respectfully requested.

Claims 4, 5, and 13-18 are objected to because of informalities.

Applicants have reviewed the Examiner's objections and made appropriate amendments to the Claims 4, 5 and 13-18. Accordingly, withdrawal of the objections is requested.

Response to Claim Rejections Under 35 U.S.C. § 112

Claims 4, 13 and 17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Applicants have reviewed the Examiner's rejection and made appropriate amendments to Claims 4, 13 and 17. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 7-18 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Independent Claims 7 and 9 have been amended to more clearly define what action is to be taken in preparing the claimed resin compositions. Claims 8, 11, 15 and 16 have been canceled. Accordingly, withdrawal of the rejection is requested.

Response to Rejections Under 35 U.S.C. § 102

Claims 1-5, 8, 9, 11, 12, and 15-18 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,207,373 to Segal. Applicants respectfully traverse.

Segal fails to disclose or suggest polyamide fibers comprised of silica particles, as recited in present independent Claim 1. Further, Segal fails to disclose kneading a polyolefin, a polyamide, a silane coupling agent, and silica particles, as recited by present Claim 9. Claims 8, 11, 15 and 16 have been canceled. Thus, Applicants respectfully submit that Segal fails to anticipate or render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-6 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 11-106570 to Yamamoto et al. ("JP '570"). Applicants respectfully traverse.

JP '570 fails to disclose or suggest polyamide fibers comprised of silica particles, as recited in present independent Claim 1. Thus, Applicants respectfully submit that JP '570 fails

to anticipate or render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by WO 2004/039881 (“WO ‘881”) or JP 2004-149635 (“JP ‘635”) to Yamamoto et al. Applicants respectfully traverse.

WO ‘881 and JP ‘365 represent the PCT and Japanese filings of the present application. Further, WO ‘881 and JP ‘365 were published in 2004, which is later in time than Applicants’ international filing date. Accordingly, WO ‘881 and JP ‘365, being Applicants’ own work, are not prior art as against Applicants, and withdrawal of the rejection is respectfully requested.

Claims 1-18 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 1,416,013 to Yagi et al. Applicants respectfully traverse.

Yagi, which is commonly assigned to Yazaki Corporation, was published on May 6, 2004. That is later in time than the present application’s international filing date of October 28, 2003. Accordingly, Yagi is not prior art relative to the present application under § 102(b) or any other section of the statute. Withdrawal of the rejection is requested.

Response to Claim Rejections Under 35 U.S.C. § 103

Claims 7, 10, 13, and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Segal. Applicants respectfully traverse.

Applicants respectfully submit that the order of addition of the silica leads to unexpectedly superior results. Specifically, adding the silica after the resin composition is prepared increases the gel fraction and abrasion resistance. *See*, Table 1 at pages 26-28. Thus, Segal fails to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 7, 10, 13, and 14 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Segal in view of U.S. Patent No. 4,748,197 to Cordova et al. Applicants respectfully traverse.

Cordova discloses the preparation of nylon, glass, and PET fibers by treating them with an organosilane coupling agent. Further, fibers treated in this manner are readily dispersed into thermoplastic matrices such as polyolefin. Cordova, however, fails to make up for the deficiency of Segal discussed above. Accordingly, Applicants respectfully submit that Segal and Cordova fail to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 7-18 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP '570. Applicants respectfully traverse.

Applicants respectfully submit that the order of addition of the silica leads to unexpectedly superior results. As noted, adding the silica after the resin composition is prepared increases the gel fraction and abrasion resistance. *See*, Table 1 at pages 26-28. Thus, JP '570 fails to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1, 6, and 9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,058,994 to Amino et al. in view of U.S. Patent No. 3,328,339 to Tierney. Applicants respectfully traverse.

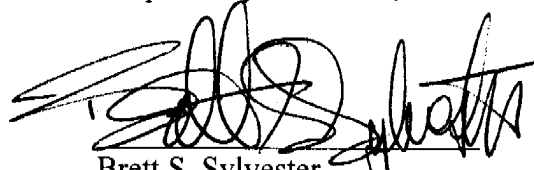
Amino fails to teach or disclose the necessity of silica, as disclosed in the present application. In fact, Amino discloses that silica is not a necessary component for the invention claimed in Amino. *See*, col. 5, lines 58-59.

Tierney discloses that silica treated with an organosilane coupling agent is readily prepared and that silica treated in this manner is highly dispersible in non-polar polymer resin. However, Tierney fails to make up for the deficiency of Amino. Further, one of ordinary skill would not be motivated to modify the teaching of Amino with the teaching of Tierney in order to obtain a resin composition with excellent abrasion resistance and flame resistance. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: May 20, 2008